



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Jones & Jones
45 Essex Street
Hackensack, New Jersey 07601
(201) 487-3600
Attorneys for Spencer Savings
Bank, SLA

/s/VINCENT J. MASSA III, ESQ.
Vincent J. Massa III
Identification No. 1085

In Re:

Marianne McElroy and Robert M.
McElroy,

Debtor

Order Filed on May 3, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

CASE NO. 19-22958 CMG
CHAPTER 13
Hearing Date: 02/05/20
Judge: Hon. Christine M.
Gravelle, USBJ

**CONSENT ORDER VACATING APRIL 27, 2021 ORDER VACATING
THE AUTOMATIC STAY AND RESOLVING MOTION FOR
RELIEF FROM THE STAY AS TO REAL PROPERTY**

The relief set forth on the following pages numbered two (2) and three (3) is hereby **ORDERED**.

DATED: May 3, 2021

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Marianne McElroy and Robert M. McElroy
Case No.: 19-22958 CMG - Chapter 13
Caption of Order: **CONSENT ORDER VACATING APRIL 27, 2021 ORDER VACATING THE AUTOMATIC STAY AND RESOLVING MOTION FOR RELIEF FROM STAY AS TO REAL PROPERTY**

AND NOW, this day of , 2021, the Court finds that this matter being opened to the Court upon the motion of Jones & Jones (Vincent J. Massa III, Esq., appearing), attorneys for the secured party, Spencer Savings Bank, SLA ("Spencer"), with the consent of Norgaard, O'Boyle & Hannon (John O'Boyle, Esq., appearing), attorneys for the Debtors, Marianne McElroy and Robert M. McElroy, under Bankruptcy Code section 362 for relief from the automatic stay as to certain real property commonly known as 75 Baywood Boulevard, Brick, NJ 08723 (the "Property"), and for cause shown,

ORDERED AS FOLLOWS:

1. The parties agree that this Court's Order Vacating the Automatic Stay dated April 27, 2021 (ECF No. 67) was entered in error and in contravention of the agreement set forth herein. Such order is vacated in its entirety.

2. The mortgage payment due April 1, 2021, which remains unpaid, shall be paid on or before April 30, 2021 to Spencer. In default thereof, Spencer may apply immediately pursuant to paragraph 4 hereof for an Order Vacating Stay.

3. All subsequent monthly post-petition payments shall be addressed as follows:

Spencer Savings Bank, SLA
611 River Drive
River Drive Centre 3
Elmwood Park, NJ 07407
Attn: Michael Fatovic, A.V.P.

4. In the event Debtor shall fail to pay within thirty (30) days of when due any future mortgage payment due Spencer, or fails to pay within thirty (30) days of when due thirty (30) days of when due any future payment provided for in paragraph 2 hereinabove, Spencer shall be entitled, seven (7) days after the filing and service to Debtor, Debtor's counsel and the Trustee of a Certification of Default, to an Order Vacating Stay as to Real Property.

5. Debtor shall pay to Spencer, through its plan, the sum of \$500.00 for legal fees and costs of this application.

6. That a copy of this Order be mailed to counsel for the Debtor and to the Trustee within days of the date hereof.

We hereby consent to the form and substance of this Order:

DATED: April 27, 2021

JONES & JONES
Attorneys of Secured Creditor
/s/ VINCENT J. MASSA III, ESQ.
VINCENT J. MASSA III, ESQ.

DATED: April 27, 2021

Norgaard, O'Boyle & Hannon
Attorneys of Debtor
/s/ JOHN O'BOYLE, ESQ.
JOHN O'BOYLE, ESQ.